



**CITY OF MORGAN HILL
COUNCIL CHAMBERS**

17555 PEAK AVENUE MORGAN HILL CALIFORNIA 95037

COUNCIL MEMBERS

Dennis Kennedy, Mayor
Steve Tate, Mayor Pro Tempore
Hedy L. Chang, Council Member
Cynthia J. Cook Council Member
Greg Sellers, Council Member

REDEVELOPMENT AGENCY

Dennis Kennedy, Chairperson
Greg Sellers, Vice-Chairperson
Hedy L. Chang, Agency Member
Cynthia J. Cook, Agency Member
Steve Tate, Agency Member

WEDNESDAY, MAY 3, 2000

AGENDA

JOINT MEETING

CITY COUNCIL SPECIAL MEETING

and

REDEVELOPMENT AGENCY SPECIAL MEETING

*A Special Meeting Is Called at 6:00 P.M. for the Purpose of
Conducting Park & Recreation Commission Interviews.*

Dennis Kennedy, Mayor/Chairperson

6:00 P.M.

CALL TO ORDER

(Mayor/Chairperson Kennedy)

ROLL CALL ATTENDANCE

(City Clerk/Agency Secretary Torrez)

City Council Action

OTHER BUSINESS:

	Time Estimate		Page
1.	30 minutes	<u>APPOINTMENTS TO THE PARK & RECREATION COMMISSION</u>	1
		<u>Recommended Action:</u>	
		1. <u>Interview</u> applicants for the Parks and Recreation Commission;	
		2 <u>Select</u> 4 candidates to serve on the Parks and Recreation Commission by ballot vote;	
		3. <u>Appoint</u> 4 members to serve terms each expiring May 1, 2002.	

NOW IS THE TIME FOR COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THIS AGENDA.

(See notice attached to the end of this agenda.)

PUBLIC COMMENTS ON ITEMS APPEARING ON THIS AGENDA WILL BE TAKEN AT THE TIME THE ITEM IS ADDRESSED BY THE COUNCIL. PLEASE COMPLETE A SPEAKER CARD AND PRESENT IT TO THE CITY CLERK.

(See notice attached to the end of this agenda.)

OPPORTUNITY FOR PUBLIC COMMENT

7:00 P.M.

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

CONSENT CALENDAR:

The Consent Calendar, Agenda Items #2 through #6 may be acted upon with one motion, a second and the vote. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

**Time
Estimate**

Consent Calendar: 1 - 10 Minutes

Page

2. **SPECIAL EVENT PERMITS AND FEES** 31
Recommended Action:
 1. **Direct** staff to schedule a public hearing on the revision of City Temporary Use Permit Fees; and
 2. **Direct** staff to re-evaluate both Temporary Use Permit Fees and fees for special events on public property as a component of a master revision of the City's fee schedule.

3. **AMENDMENT TO CONTRACT PROVIDING PLAN CHECKING SERVICES ON AN AS-NEEDED BASIS** 33
Recommended Action:
 1. **Approve** the attached amendment to the contract with Harris & Associates to increase the contract amount by \$56,000.
 2. **Authorize** the City Manager to execute the contract amendment.

4. **APPROVAL OF RIGHT OF WAY PURCHASE AGREEMENTS FOR BUTTERFIELD EXTENSION (APN: 726-27-037 AND 726-22-006)** 45
Recommended Action: **Authorize** the City Manager to execute purchase agreements with the owners of APN 726-27-037 and 726-22-006 for total compensation of \$436,000.

5. **APPROPRIATION OF ADDITIONAL FUNDS FOR THE CONSTRUCTION OF NORDSTROM PARK** 49
Recommended Action: **Appropriate** from the unappropriated fund balances as follows: \$27,000 from Local Drainage Non-AB 1600 Fund (304) and \$23,000 from Park Development Impact Fund (301) for the construction of Nordstrom Park.

6. **APPOINTMENT TO THE MOBILE HOME RENT COMMISSION** 51
Recommended Action:
 1. **Reappoint** Charles W. Dillman and Dennis Pinion to the Mobile Home Rent Commission for a two-year term.
 2. **Direct** the City Clerk to re-advertise two vacant positions.
 3. **Extend** the appointment of Commissioner Mirviss to June 30, 2000 or the conclusion of the Petition Hearings.

PUBLIC HEARINGS:

- | | Time
Estimate | | |
|----|--------------------------|--|--|
| 7. | 15 minutes | <u>OUT OF AGENCY SERVICE REQUEST APPLICATION, OSR-00-01: SAN PEDRO - SCVWD</u> 59
<u>Recommended Action:</u> Request staff presentation.
Public Hearing opened.
Please limit your remarks to 3 minutes. Public Hearing closed.
Council discussion. | |

Action- Motion to Adopt resolution of approval forwarding request to LAFCO.

8. 45 minutes **MADRONE BUSINESS PARK ASSESSMENT DISTRICT** 65
Recommended Action: Request staff presentation.
Public Hearing opened.
Please limit your remarks to 3 minutes. Public Hearing closed.
Council discussion.
Action - Motion to Adopt Resolution #5379 making certain findings and taking certain actions in connection with the proposed Assessment District No. 2000-1 (Madrone Business Park).
Action- Motion to Adopt Resolution #5380 ordering modifications to the Engineer's Report, approving the Engineer's Report as so modified, confirming the assessments and ordering proposed improvements to be made in connection with Assessment District No. 2000-1 (Madrone Business Park).
Action- Motion to Adopt Resolution #5381 authorizing the issuance of not to exceed, approximately, \$13,705,000 aggregate principal amount of City of Morgan Hill, Assessment District No. 2000-1 (Madrone Business Park), limited obligation improvement bonds, Series 2000 and the execution and delivery of a fiscal agent agreement, a continuing disclosure agreement, a purchase contract and approving a Preliminary Official Statement.

OTHER BUSINESS:

Time
Estimate

9. 10 minutes **REVIEW OF PROPOSED LAND USE AND TRANSPORTATION LEGISLATION UNDER SB 2017 (PERATA)** 259
Recommended Action: **Direct** staff to monitor bill and bring back for Council action after amendments are included at the suggestion of MTC and ABAG. Should the Council oppose the bill, direct staff to write a letter to our Legislators and the Senate Appropriations Committee members outlining the City's position.
10. 5 minutes **POSITION ON SB 1995 - MTC PLANNING PROCESS** 265
Recommended Action: **Direct** the City Manager to draft a letter to the State Senate opposing Senate Bill SB 1995 (Perata).
11. 30 minutes **UPDATE ON REQUEST FOR PROPOSALS FOR MEDICAL SERVICES IN MORGAN HILL** 279
Recommended Action: **Discuss** staff presentation on the submitted RFPs and the next steps regarding the RFP process with direction to staff as to how to proceed with the process.

Redevelopment Agency Action

CONSENT CALENDAR: The Consent Calendar, Agenda Item #12 may be acted upon with one motion, a second and the vote. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

12. **APPROVAL OF THE SPECIAL REDEVELOPMENT AGENCY MINUTES OF APRIL 26, 2000** 287

City Council & Redevelopment Agency Action

CONSENT CALENDAR: The Consent Calendar, Agenda Item #13 may be acted upon with one motion, a second and the vote. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

13. **APPROVAL OF JOINT REGULAR CITY COUNCIL REGULAR & SPECIAL REDEVELOPMENT AGENCY OF APRIL 19, 2000** 289

CLOSED SESSION:

Time
Estimate

15 minutes	1. <u>CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION & CONFERENCE WITH REAL PROPERTY NEGOTIATOR</u>
	Legal Authority: Government Code 54956.8 & 54956.9(c) (1potential case)
	Real Property(ies) involved: APN 728-31-007 & 008; 25.50 acres located on the southwesterly side of Mission View and Cochrane Road; and APN 728-31-009 - 12.88 acres located on the southeast corner of Cochrane and Highway 101 (St. Louise Hospital property)
	City Negotiators: Agency Members; Interim Executive Director;

Closed Session Topic: Interim Agency Counsel; and F. Gale Conner,
special counsel
Potential Litigation

2.

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

10 minutes

Legal Authority: Government Code Section 54956.8
Property: APN 817-13-001; 37.8
(Soccer complex)

Negotiating Parties:

For Property Owners: Tadashi & Alice A. Kadonaga, Trustee

For City: Jim Ashcraft; F. Gale Connor; J. Edward Tewes

Under Negotiation: Price and Terms of Payment

3.

**CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION &
CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

10 minutes

Legal Authority: Government Code Section 54956.8 & 54956.9(c)
Property: APN 825-06-002, 003, 029, 030; 36.6 acres
(Railroad/Maple - Butterfield Retention Basin Site)

Negotiating Parties:

For Property Owners: Costa Family Partners

For City: Jim Ashcraft; F. Gale Connor; J. Edward Tewes,

Under Negotiation: Price and Terms of Payment

4.

**CONFERENCE WITH LEGAL COUNSEL - REAL PROPERTY
TRANSACTION**

10 minutes

Legal Authority: Government Code Section 54956.8
Real property(ies) involved: *The Father's House*, First United Pentecostal Church
APN 767-18-044
271 West Edmundson Avenue

Agency Negotiators: Interim Executive Director; Interim Agency
Counsel; Director of Business Assistance & Housing
Services; Recreation Manager

Closed Session Topic: Acquisition of Real Property

CLOSED SESSION ANNOUNCEMENT:

FUTURE COUNCIL-INITIATED AGENDA ITEMS:

Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

ADJOURNMENT

City of Morgan Hill
Special City Council and
Special Redevelopment Agency Meeting
May 3, 2000
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